

ASSEMBLY BILL

No. 2803

Introduced by Assembly Member Parra

February 24, 2006

An act to add Section 6157.8 to the Business and Professions Code, relating to attorneys.

LEGISLATIVE COUNSEL'S DIGEST

AB 2803, as introduced, Parra. Attorney advertising: residential construction defects.

Existing law, the State Bar Act, provides for the regulation of attorneys, including the means by which they solicit employment of their legal services. Existing law authorizes the State Bar of California to discipline an attorney for a violation of these provisions.

This bill would require a direct mail solicitation that urges a person or entity to take an action that may lead to the filing of a claim for residential construction deficiencies to disclose alternatives to litigation and potential adverse consequences of litigation.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6157.8 is added to the Business and
- 2 Professions Code, to read:
- 3 6157.8. A direct mail solicitation that urges a person or entity
- 4 to take an action that may lead to the filing of a claim for
- 5 residential construction deficiencies shall disclose, prior to filing
- 6 a lawsuit on the person or entity's behalf, the following
- 7 information:

- 1 (a) Alternatives to remedy the deficiencies without litigation.
- 2 (b) Potential adverse consequences of litigation.

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